

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**SPECIAL SESSION
January 22, 2008**

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Special Session at 9:30 a.m., January 22, 2008, in the Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Andrew Kunasek, Chairman, District 3; Max W. Wilson, Vice Chairman, District 4; Fulton Brock, District 1 and Don Stapley, District 2. Absent: Mary Rose Wilcox, District 5. Also present: Lori Pacini, Deputy Clerk of the Board; Liz Evans, Minutes Coordinator; David Smith, County Manager and Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

FEDERAL LEGISLATIVE ISSUES UPDATE

Item: Presentation regarding potential Maricopa County federal issues and priorities, including update on federal legislation, as well as possible discussion/direction on future legislative efforts. Discussion will include a 2007 recap. (C2008042M00) (ADM1650)

Diane Sikokis, Government Relations Director
Christopher T. Cushing, WolfBlock Public Strategies

Mr. Cushing presented an overview of federal advocacy activities and outcomes for 2007 and anticipated federal advocacy activities in 2008. Highlights from Mr. Cushing's presentation are as follows:

Homeland Security

- Arizona will receive approximately \$34 million in federal counterterrorism funding for FY 2008, including an increase in Emergency Management Performance Grants.
- The Community Oriented Policing Services (COPS) received a \$45 million increase over FY 2007.
- Congress approved almost \$2 billion increase in funding for border security and enforcement of immigration, including \$1.2 billion for fence construction.

Public Safety Public Safety and Criminal Justice

- The State Criminal Alien Assistance Program (SCAAP) received \$410 million in funding, a \$10 million increase over FY 2007.
- Working in support of NACo, the House Committee on the Judiciary approved legislation that will help counties divert the non-violent mentally ill from jail. The Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2007 has strong bi-partisan support and is expected to receive expedited consideration in both the U.S. House and Senate.
- A great deal of activity has taken place to identify and secure federal funding for anti-Meth advertising in Arizona. Maricopa County is working with a lobbying team for the Montana Meth Project to secure a portion of what appears to be \$6-\$9 million for anti-Meth advertising.
- The Methamphetamine Remediation Research Act was signed into law in 2007. It requires the EPA to develop voluntary health-based cleanup guidelines for counties to use to ensure former Meth lab sites are safe and free from contamination. The bill also launched research programs to develop Meth-detection equipment and to study the long-term health impacts of Meth exposure on first responders and children rescued from Meth labs.
- Legislation which provides assistance to municipalities to develop and implement plans for providing and coordinating comprehensive efforts to enable juvenile and adult ex-

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offenders to successfully reenter their communities has passed the House and will come before the Senate in early 2008.

- Legislation which would create a student loan repayment program for law school graduates who wish to pursue careers as prosecutors or public defenders remains under consideration in Congress.

Housing and Community Development

- The Community Development Block Grant (CDBG) formula funding was reduced by \$118 million, a three percent reduction from FY 2007's funding level.
- The House passed a bill in 2007 that would provide \$1 billion annually for the production, preservation and rehabilitation of 1.5 million homes over the next ten years, but it is opposed by the Administration out of concern that it would create undue reliance on the FHA and GSEs.
- Annette Stein, Director of the Human Services Department, has expressed concern that proposed rescissions to Arizona's share of the Workforce Investment Act (WIA) are disproportionate because they are based on outdated population formulas. However, efforts to reauthorize the act have stalled and are unlikely to be revisited until after the presidential election.

Supervisor Brock requested that Mr. Cushing follow up with Ms. Stein regarding her concerns. Supervisor Kunasek asked for an explanation of organized labor's opposition to the WIA. Mr. Cushing responded that it was his understanding that organized labor views the WIA as a social program versus a workforce program, but he would provide the Board with statements from major labor unions in Arizona.

Transportation

- Meetings have taken place with ADOT to discuss FY 2009 transportation appropriations and it is recommended that the County seek discretionary transit funding. The County is currently working on a request for an Integrated Transit Roadway Information System.
- The County supported a federal directed appropriation request, including a directed appropriation of \$1.375 million for I-10 improvements.
- FY 2008 Transportation Appropriations also contained \$1.75 million for taxiway improvements to Williams Gateway Airport.

Education

- The No Child Left Behind (NCLB) law was up for reauthorization in 2007, but stalled in Congress as various stakeholders and lawmakers pressed for changes to the law. NCLB formally expired on October 1, 2007 but will automatically be extended for one year under another education law.

Supervisor Wilson asked whether the money appropriated for I-10 improvements would come directly to the State or some other agency. Mr. Cushing was unsure who would administer those funds but said the funds could only be used for their intended purpose.

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Public Works and Flood Control

- Efforts are underway between the Flood Control District (FCD) and Senator Kyl's office to better memorialize the basis on which FCD and the Army Corp of Engineers would fund planning for the rehabilitation of McMicken Dam.
- A bill has passed the House that would provide \$200 million over five years to repair state and locally owned dams. The bill now moves to the Senate for consideration.
- A team is working to coordinate Maricopa County's response to the Clean Water Restoration Act which redefines the "water of the United States." While the legislation is supported by Governor Napolitano in writing, the FCD has some concerns relative to regulation of intrastate waters.

Chairman Kunasek asked Mr. Cushing to provide the Board with a copy of the Governor's letter of support for the Clean Water Restoration Act.

Supervisor Stapley thanked Mr. Cushing and his staff for their work on behalf of the County and NACo. Mr. Stapley announced that NACo would be rolling out a "green" vehicle initiative that may also be extended to include "green" buildings. He said NACo also intends to focus a lot of time and effort on reshaping immigration discussions at both federal and local levels in a more civil manner in order to arrive at some solutions to the broken legal immigration system.

~ Supervisor Stapley left the meeting and would not return ~

The Chairman asked Mr. Cushing to elaborate on the issues related to the Clean Water Restoration Act. Mr. Cushing explained the while there seems to be general support of the legislation, there is specific opposition to the proposed definition of "water."

Chairman Kunasek commented that the County needs to pursue being redistricted with regards to the EPA and the United States Court of Appeals for the Ninth Circuit. Mr. Cushing replied that the EPA is an administrative situation while the Supreme Court is much more complicated politically, but they will continue to look for opportunities.

Federal Mandates

- Legislation has been introduced to repeal a requirement contained in the Tax Increase Prevention and Reconciliation Act that mandates that governments withhold three percent tax for payments for goods and services beginning in 2011. The cost to Maricopa County to implement and administer this requirement would be substantial, potentially as much as \$15.6 million annually.
- NACo is working to oppose legislation that would require dramatic changes in state and local election laws and technology regarding voting paper trails.
- The Public Safety Employer-Employee Cooperation Act would affect employment negotiations of some public employees and would mandate collective bargaining. The bill has passed the House and County officials are working on their position as it is being considered by the Senate.
- Legislation is pending to reverse or diminish the Supreme Court's ruling in Ledbetter versus Goodyear which severely limits workers' ability to challenge discriminatory pay.
- Legislation is also pending that is aimed at curbing identity theft by restricting the display of social security numbers.

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- A bill has been introduced that would authorize the U.S. Department of Treasury to intercept tax refunds to pay overdue court-ordered financial obligations. Courts in Arizona are owed over \$500 million in fines, fees, surcharges and restitution.

Mr. Cushing reported that President Bush will be delivering the State of the Union address on January 28th, and would start with the stimulus package. Mr. Cushing said that a proposal to boost the Federal Medical Assistance Percentage (FMAP) for Medicaid is under consideration for inclusion into the stimulus package. He said the President's budget proposal will be submitted to Congress on February 4th and is expected to contain significant cuts to local governments for Homeland Security funding, Community Development Block Grants (CDBG) and little or no funding for SCAAP.

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Andrew Kunasek, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board